

MEMO ENDORSED

May 6, 2024

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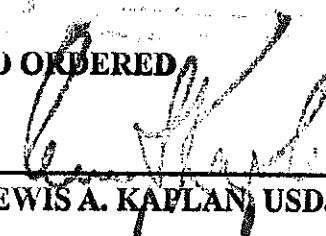
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The Honorable Lewis A. Kaplan
 Daniel Patrick Moynihan
 United States Courthouse
 500 Pearl Street
 New York, NY 10007-1312

Michael N. Ungar
 UB Greensfelder LLP
 1660 W. 2nd Street, Ste. 1100
 Cleveland, Ohio 44113

5/6/24

SO ORDERED

LEWIS A. KAPLAN USDJ

Re: ***Hernandez, et al., v. Telecom Business Solution, LLC, et al.***

Your Honor:

We represent Telecom Business Solution, LLC and LATAM Towers, LLC (collectively, “Peppertree”), and AMLQ Holdings (Cay), Ltd. (“AMLQ,” together with Peppertree, “Peppertree/AMLQ”) in the above-captioned action (the “Action”).¹

On May 3, 2024, Petitioners Jorge Hernandez, Alberto Arzu, Alejandro Sagastume, and William Mendez (collectively, “Petitioners”) filed this Action in the Supreme Court of the State of New York, New York County, Case No. Unassigned (the “State Court Action”). On May 6, 2024, Peppertree/AMLQ filed a Notice of Removal, removing the State Court Action to this Court pursuant to 9 U.S.C. § 205 and designated it as related to the three related cases before Your Honor that also arise from the Arbitration. Peppertree/AMLQ intend to file with the Notice of Removal “a copy of all process, pleadings, and orders served upon [them]” in the state court action (the “State Court Documents”), as required by 28 U.S.C. § 1446.

Pursuant to Federal Rule of Civil Procedure 5.2(d), Peppertree/AMLQ respectfully seek leave to file the forthcoming Declaration of Gregg L. Weiner in Support of Peppertree/AMLQ’s Notice of Removal (the “Weiner Declaration”), and the State Court Documents and other documents attached thereto, under seal, given the confidentiality order governing the underlying arbitration and the confidentiality provisions of the parties’ governing documents.

¹ The Action arises from an arbitration being administered by the International Centre for Dispute Resolution (the “ICDR”) of the American Arbitration Association (“AAA”) and captioned *Telecom Business Solution, LLC, et al. v. Terra Towers Corp., et al.*, AAA/ICDR Case No. 01-21-0000-4309 (the “Arbitration”), which remains pending among Peppertree/AMLQ, Petitioners, Terra Towers Corp. and TBS Management, S.A. (collectively, “Terra”), DT Holdings, Inc. (“DTH” and together with Petitioners and Terra, the “Arbitration Respondents”), and Continental Towers LATAM Holdings Limited (the “Company”), and is presided over by a panel of three highly qualified and experienced arbitrators (the “Tribunal”).